HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 32073 of 2026

Harilal

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Anil Mishra, Jitendra Kumar, Rajesh Babu
Counsel for Opposite Party(s)	:	Nagesh Dwivedi, G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised.

2. Heard Sri Rajesh Babu, learned counsel for the applicant, Sri Nagesh Dwivedi, learned counsel for the informant, Sri Ifrah Islam, learned State Law Officer for the State and perused the material placed on record.

3. Applicant seeks bail in Case Crime No.43 of 2026, Under Section 109(1) B.N.S., Police Station Utraon, District Prayagraj, during the pendency of trial.

4. Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case. The allegations are per se false. The injuries sustained in the incident are not the cause of death of the deceased. There is a statement of Dr. Rajeev Ranjan, who conducted the post-mortem examination of the deceased, wherein he has categorically stated that the cause of death was not the injuries sustained by the deceased. The cause of death was the past infection, as the deceased had sustained petechial haemorrhage on the heart, which is indicative of a previous severe infection. There is a delay of about 18 hours in the lodging of the FIR as well. The applicant has no criminal history and is in jail since 08.03.2026. He undertakes to cooperate with the trial and not misuse the liberty of bail.

5. Learned counsel for the informant and learned State Law Officer have

vehemently opposed the bail application but the submissions raised by the learned counsel for the applicant could not be disputed.

6. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the statement of the doctor who conducted the post-mortem examination of the deceased, and without expressing any opinion on the merits of the case, *prima-facie* the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

7. Let the applicant- **Harilal**, be released on bail in the aforementioned case crime on furnishing a personal bond and two sureties to the satisfaction of the court concerned, subject to verification of sureties, with the conditions that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

8. Breach of any condition shall entail cancellation of bail. The observations herein shall not affect the trial on merits.

(Krishan Pahal,J.)

October 23, 2026
(Ravi Kant)

Digitally signed by :-
RAVI KANT
High Court of Judicature at Allahabad